

Notice of Allowability

Application No.

10/659,712

Examiner

Justin M. Larson

Applicant(s)

STADLER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendments filed 2/17/06.
2. ☒ The allowed claim(s) is/are 1,2,4,5,7-15,20-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20060403.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James F. McKeown on March 31st, 2006.

The application has been amended as follows:

In the Claims:

2. In claim 1, line 19, "stop" has been replaced with – stop. –.
3. Claim 14 has been amended and replaced in its entirety with – A roof rack for a vehicle, comprising: a load carrier on a roof of the vehicle, the load carrier including a stationary carrier; adjusting levers; and a loading element on at least one side of the vehicle, the loading element including two swivellable carriers each having first and second ends, and a connecting carrier rod connecting the swivellable carriers near the first ends of the swivellable carriers, wherein the second ends of the swivellable carriers are each connected with one of the adjusting levers and, the loading element being displaceably guided by way of the adjusting levers in the stationary carrier between an extended inclined loading position and a retracted transport position, wherein at the loading position the loading element projects inclinedly downward from the stationary carrier, wherein in the inclined loading position a first supporting surface of each adjusting lever is held on a stationary stop of the stationary carrier, wherein each

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stationary stop has lateral guide grooves in which guide webs of one of the swivellable carriers engage, and wherein the lateral guide grooves are arranged on both sides of the stop. –.

4. Claim 19 has been cancelled.

5. In claim 20, line 1, "Claim 19" has been replaced with – Claim 14 –.

6. The following claims have been added:

– 27 (new) The roof rack according to claim 14, wherein in the inclined loading position the first supporting surface of each adjusting lever is arranged in a vertical plane and is situated opposite a corresponding surface of the stationary stop, and a second supporting surface of each adjusting lever is arranged with respect to the swivellable carrier at an angle with respect to the first supporting surface of the adjusting lever. –

– 28 (new) The roof rack according to claim 27, wherein the stationary profile carrier has a support for the swivellable profile carriers, which can be supported, by way of the adjusting lever, on the stationary stop and, by way of the second supporting surface, on the adjusting lever. –

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M. Larson whose telephone number is (571) 272-8649. The examiner can normally be reached on Monday - Friday, 8am - 4pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Newhouse can be reached on (571) 272-4544. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JML
4/3/06



NATHAN J. NEWHOUSE
SUPERVISORY PATENT EXAMINER